

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**DAMIEN DERRELL LINDSAY**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 1:22-cv-00273-TBM-RPM**

**UNKNOWN FOX, *et al.***

**DEFENDANTS**

**FINAL JUDGMENT**

This cause is before the Court *sua sponte* for consideration of dismissal. Pursuant to the Memorandum Opinion and Order of Dismissal issued this date and incorporated herein by reference,

**IT IS, HEREBY, ORDERED AND ADJUDGED** that this civil action is **DISMISSED WITH PREJUDICE** as frivolous and for failure to state a claim under 28 U.S.C. § 1915(e)(2)(B)(i)-(ii).

**IT IS, FURTHER, ORDERED AND ADJUDGED** that this dismissal counts as a “strike” under 28 U.S.C. § 1915(g). *See Washington v. Collier*, 747 F. App’x 221, 223 (5th Cir. 2018). Plaintiff Damien Derrell Lindsay is advised that, if he receives three strikes, “he may not proceed [*in forma pauperis*] in any civil action or appeal filed while he is incarcerated or detained in any facility unless he is under imminent danger of serious physical injury.” *See Adongo v. Tex.*, 124 F. App’x 230, 232 (5th Cir. 2005) (citing 28 U.S.C. § 1915(g)).

**SO ORDERED AND ADJUDGED**, this 23rd day of December, 2022.



**TAYLOR B. McNEEL**

**UNITED STATES DISTRICT JUDGE**